

### **REMARKS**

Claim 1-21 are pending. Claims 2, 3, 9, 10, and 15 have been amended. Claims 16-21 are newly presented. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

#### ***Claim Objections***

Claim 9 was objected to for containing a typographical error. Applicants have amended claim 9 in accordance with the Examiner's suggestion. Accordingly, Applicants respectfully submit that this objection is moot.

#### ***Claim Rejections Under 35 U.S.C. § 112***

Claims 3 and 10 were rejected under 35 U.S.C. § 112, first paragraph as allegedly being based on a disclosure that is not enabling. Applicant respectfully disagrees.

Claims 3 and 10 each recite that the generated ternary spreading code is used as an initial code for synchronization acquisition based on a matched filter. Applicant submits that support for this claim feature can be found in the originally filed specification on pages 13-15 which discuss the use of the generated ternary spreading code for synchronization. Accordingly, Applicant submits that claims 3 and 10 are fully supported and enabled by the originally filed specification.

#### ***Claim Rejections Under 35 U.S.C. § 102***

Claims 1, 4, 8, and 11 were rejected under 35 U.S.C. § 102(e) over Li (U.S. Publication No. 2002/0122463). Applicant respectfully traverses this rejection as least because the Li reference is not valid prior art under any section of 35 U.S.C. § 102.

The Li reference has a U.S. filing date (102(e) date) of December 5, 2001 which is later than Applicant's earliest priority date of June 11, 2001. The perfect Applicant's claim for priority, Applicant submits herewith an English language translation of the priority document which is verified to be accurate.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

***Claim Rejections Under 35 U.S.C. § 103***

Claim 15 was rejected under 35 U.S.C. § 103(a) over Li in view of Bergamo (U.S. Patent No. 6,574,268). Applicant respectfully traverses this rejection at least because, as discussed above, the Li reference is not valid prior art. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

***Allowable Subject Matter and New Claims***

Applicant appreciates the Examiner's indication that claims 2, 5-7, and 12-14 contained allowable subject matter and would be allowable if rewritten in independent form to include all of the features of their base claim and any intervening claim.

Claims 16-21 are newly presented, fully supported by the originally filed specification and believed allowable over the prior art of record.

In view of the foregoing, Applicant submits that all the claims (claims 1-21) are in condition for allowance.

***Conclusion***

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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